

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

ST. CLAIR COUNTY EMPLOYEES'	)	
RETIREMENT SYSTEM, Individually and on	)	
Behalf of All Others Similarly Situated,	)	
	)	
Plaintiff,	)	Civil Action No. 3:18-cv-00988
	)	
vs.	)	District Judge William L. Campbell, Jr.
	)	Magistrate Judge Alistair E. Newbern
ACADIA HEALTHCARE COMPANY, INC.,	)	
et al.,	)	
	)	
Defendants.	)	
	)	

**DEFENDANTS' MOTION TO ASCERTAIN STATUS AND EXPEDITE DISPOSITION  
OF MOTION TO AMEND SCHEDULING ORDER**

Pursuant to Local Rule 7.01(c), Defendants Acadia Healthcare Company, Inc. ("Acadia"), Deborah H. Jacobs, as Executor of the Estate of Joey A. Jacobs, Brent Turner, and David Duckworth (collectively, "Defendants") move the Court to ascertain the status of, and expedite disposition of, their pending Motion to Amend Scheduling Order (ECF 296) (the "Motion to Amend").

Local Rule 7.01(c) provides that "[a]t any time, an attorney for any party . . . may file a written motion inquiring as to the status of the case or to pending motions, and may include in said motion a statement of reasons why an expedited disposition of the case or motion is necessary or desirable." *See* L.R. 7.01(c). In their Motion to Amend, Defendants request that the Court amend the current operative scheduling order (ECF 293) to allow a brief extension of the schedule in light of several professional conflicts that have arisen for Defendants' counsel, including a June 2, 2025 trial date in *Strougo v. Tivity Health Inc., et al.*, No. 3:20-cv-00165 (M.D. Tenn.). *See* ECF 296. As explained in the Motion to Amend, Defendants request this modest extension to the schedule

in this action because, under the current schedule, they will need to prepare for the deposition of eight experts, as well as summary judgment and *Daubert* motions, while simultaneously preparing for a two week trial and complying with the numerous pre-trial deadlines in the *Strougo* action.

Defendants acknowledge that the Motion to Amend has only been fully briefed since March 31, 2025. Defendants, however, recently received a request from Plaintiffs to schedule these eight expert depositions between today's date and May 9, 2025. Given this request by Plaintiffs, Defendants would appreciate expedited disposition of the Motion to Amend to have clarity as to whether these eight expert depositions must be scheduled in the coming weeks, or whether they can be scheduled after the *Strougo* trial and the May 14, 2025 mediation of this action.

Courts in this District have granted similar motions to ascertain where impending deadlines were approaching. *See In re Subpoena Duces Tecum in a Civ. Action Issued by Inteplast Grp., Ltd.*, No. 2:12-2107, 2012 WL 5463904, at \*1 (M.D. Tenn. Nov. 8, 2012) (granting motion to ascertain status and expedite disposition of motion to compel filed shortly after briefing was completed where deadlines were imminent); *Alvarado Martinez v. First Class Interiors of Naples, LLC*, No. 3:18-CV-00583, 2020 WL 3316115, at \*1 (M.D. Tenn. June 18, 2020) (similar). Given the “pressing need” to have clarity as to whether these eight expert depositions must be scheduled now, Defendants respectfully request that the Court grant their Motion and expedite the disposition of the Motion to Amend. *See Nelson v. Zook*, No. 3:15-0573, 2015 WL 9274963, at \*1 (M.D. Tenn. Dec. 18, 2015), *report and recommendation adopted*, No. 3-15-00573, 2016 WL 206460 (M.D. Tenn. Jan. 15, 2016) (noting that counsel should typically file a motion to ascertain “60 days after [motions] are ready for a decision, *absent some pressing need*” (emphasis added)).

Dated: April 8, 2025

Respectfully submitted,

/s/ Steven A. Riley

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**CERTIFICATE OF SERVICE**

I hereby certify that on this April 8, 2025, I electronically filed the foregoing document with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to the following:

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